

Calendar No. 46

104TH CONGRESS  
1ST SESSION

**S. 523**

[Report No. 104-24]

**A BILL**

To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.

APRIL 3 (legislative day, MARCH 27), 1995

Reported with an amendment

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IN THE SENATE OF THE UNITED STATES

MARCH 9 (legislative day, MARCH 6), 1995

Mr. BENNETT (for himself, Mr. BROWN, Mr. CAMPBELL, Mr. HATCH, Mr. KYL, Mr. DOMENICI, Mr. SIMPSON, and Mr. THOMAS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 3 (legislative day, MARCH 27), 1995

Reported by Mr. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. BASINWIDE SALINITY CONTROL PROGRAM FOR**  
 2 **THE COLORADO RIVER BASIN.**

3 ~~(a) AUTHORIZATION TO CONSTRUCT, OPERATE, AND~~  
 4 ~~MAINTAIN A BASINWIDE SALINITY CONTROL PRO-~~  
 5 ~~GRAM.—Section 202 of the Colorado River Basin Salinity~~  
 6 ~~Control Act (43 U.S.C. 1592) is amended—~~

7 ~~(1) in subsection (a)—~~

8 ~~(A) in the first sentence—~~

9 ~~(i) by striking “the following salinity~~  
 10 ~~control units” and inserting “the following~~  
 11 ~~salinity control units and salinity control~~  
 12 ~~program”; and~~

13 ~~(ii) by striking the period at the end~~  
 14 ~~and inserting a colon; and~~

15 ~~(B) by adding at the end the following:~~

16 ~~“(6) SALINITY CONTROL PROGRAM.—~~

17 ~~“(A) IN GENERAL.—The Secretary, acting~~  
 18 ~~through the Commissioner of Reclamation, shall~~  
 19 ~~implement a basinwide salinity control program.~~

20 ~~“(B) CONTRACTS AND OTHER VEHI-~~  
 21 ~~CLES.—The Secretary may carry out this para-~~  
 22 ~~graph directly, or may enter into contracts and~~  
 23 ~~memoranda of agreement, or make grants, com-~~  
 24 ~~mitments for grants, or advances of funds to~~  
 25 ~~non-Federal entities, under such terms and con-~~

1           ditions as the Secretary considers to be appro-  
2           pate.

3           ~~“(C) COST-EFFECTIVE MEASURES.—The~~  
4           salinity control program shall consist of cost ef-  
5           fective measures and associated works to reduce  
6           salinity from saline springs, leaking wells, irri-  
7           gation sources, industrial sources, erosion of  
8           public and private land, or other sources, as the  
9           Secretary considers to be appropriate.

10          ~~“(D) MITIGATION.—The salinity control~~  
11          program shall provide for the mitigation of inci-  
12          dental fish and wildlife resources that are lost  
13          as a result of the measures and associated  
14          works described in subparagraph (C).

15          ~~“(E) PLANNING REPORT.—The Secretary~~  
16          shall submit a planning report concerning the  
17          salinity control program to the appropriate  
18          committees of Congress.

19          ~~“(F) DELAY IN IMPLEMENTATION.—The~~  
20          Secretary may not expend funds for any meas-  
21          ure or associated work described in subpara-  
22          graph (C) before the expiration of a 30-day pe-  
23          riod beginning on the date on which the Sec-  
24          retary submits a planning report under sub-  
25          paragraph (E).”; and

1           (2) in subsection (b)(4) by striking “and (5)”  
2           and inserting “(5), and (6)”.

3           (b) ~~ALLOCATION OF COSTS.~~—Section 205(a) of the  
4 Colorado River Basin Salinity Control Act (43 U.S.C.  
5 1595(a)) is amended—

6           (1) in paragraph (1) by striking “authorized by  
7           sections 202(a) (4) and (5)” and inserting “author-  
8           ized by section 202(a) (4), (5), and (6)”;

9           (2) in paragraph (4)(i) by striking “sections  
10          202(a) (4) and (5)” each place it appears and in-  
11          serting “section 202(a) (4), (5), and (6)”.

12          (c) ~~AUTHORIZATION OF APPROPRIATIONS.~~—Section  
13 208 of the Colorado River Basin Salinity Control Act (43  
14 U.S.C. 1598) is amended by adding at the end the follow-  
15 ing new subsection:

16          “(c) ~~ADDITIONAL AUTHORIZATION OF APPROPRIA-~~  
17 ~~TIONS.~~—In addition to the amounts authorized to be ap-  
18 propriated under subsection (b), there are authorized to  
19 be appropriated—

20               “(1) such sums as are necessary to pay for non-  
21               federally financed salinity control; and

22               “(2) \$75,000,000 for the construction of feder-  
23               ally financed improvements described in section  
24               202(a).”.

1 **SECTION 1. AMENDMENTS TO THE COLORADO RIVER BASIN**  
2 **SALINITY CONTROL ACT.**

3 *The Colorado River Basin Salinity Control Act (43*  
4 *U.S.C. 1571 et seq.) is amended—*

5 *(1) in section 202(a)—*

6 *(A) in the first sentence—*

7 *(i) by striking “the following salinity*  
8 *control units” and inserting “the following*  
9 *salinity control units and salinity control*  
10 *program”; and*

11 *(ii) by striking the period and insert-*  
12 *ing a colon; and*

13 *(B) by adding at the end the following new*  
14 *paragraph:*

15 *“(6) A basinwide salinity control program that*  
16 *the Secretary, acting through the Bureau of Reclama-*  
17 *tion, shall implement. The Secretary may carry out*  
18 *the purposes of this paragraph directly, or may make*  
19 *grants, commitments for grants, or advances of funds*  
20 *to non-Federal entities under such terms and condi-*  
21 *tions as the Secretary may require. Such program*  
22 *shall consist of cost-effective measures and associated*  
23 *works to reduce salinity from saline springs, leaking*  
24 *wells, irrigation sources, industrial sources, erosion of*  
25 *public and private land, or other sources that the Sec-*  
26 *retary considers appropriate. Such program shall*

1     *provide for the mitigation of incidental fish and wild-*  
 2     *life values that are lost as a result of the measures*  
 3     *and associated works. The Secretary shall submit a*  
 4     *planning report concerning the program established*  
 5     *under this paragraph to the appropriate committees*  
 6     *of Congress. The Secretary may not expend funds for*  
 7     *any implementation measure under the program es-*  
 8     *tablished under this paragraph before the expiration*  
 9     *of a 30-day period beginning on the date on which the*  
 10    *Secretary submits such report”;*

11           *(2) in section 205(a)—*

12                   *(A) in paragraph (1) by striking “author-*  
 13                   *ized by section 202(a) (4) and (5)” and inserting*  
 14                   *“authorized by paragraphs (4) through (6) of*  
 15                   *section 202(a)”;* and

16                   *(B) in paragraph (4)(i), by striking “sec-*  
 17                   *tion 202(a) (4) and (5)” each place it appears*  
 18                   *and inserting “paragraphs (4) through (6) of*  
 19                   *section 202”;*

20                   *(3) in section 208, by adding at the end the*  
 21                   *following new subsection:*

22           *“(c) In addition to the amounts authorized to be ap-*  
 23     *propriated under subsection (b), there are authorized to be*  
 24     *appropriated \$75,000,000 for subsection 202(a), including*  
 25     *constructing the works described in paragraph 202(a)(6)*

1 *and carrying out the measures described in such para-*  
2 *graph.”; and*

3 *(4) in subsection 202(b)(4) delete “units author-*  
4 *ized to be constructed pursuant to paragraphs (1),*  
5 *(2), (3), (4), and (5)” and insert in lieu thereof*  
6 *“units authorized to be constructed or the program*  
7 *pursuant to paragraphs (1), (2), (3), (4), (5), and*  
8 *(6).”.*